

Notice of Allowability	Application No.	Applicant(s)	
	10/698,601	STARITA, JOSEPH M.	
	Examiner	Art Unit	
	James M Hewitt	3679	<i>NW</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 6/14/04.
2. ☒ The allowed claim(s) is/are 30, 32, 31, 33-40, 49-50, 56, 41, 51, 58, 42-44, 52, 55, 45-48, 53-54 and 57 renumbered as 1-29 respectively.
3. ☒ The drawings filed on 31 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

/s/ M L
6/14/04

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ed Baranowski on 6/14/04.

The application has been amended as follows:

In the specification:

In paragraph [0002] line 1, "co-pending" has been deleted.

In paragraph [0002] line 2, the phrase --now abandoned,-- has been inserted after "June 28, 2001,".

In paragraph [0002] line 10, --all-- has been inserted before "now".

In paragraph [0079] line 8, "21" has been deleted.

In the claims:

In claim 32 line 1, "30" has been renumbered as --1--.

In claim 33 line 1, "31" has been renumbered as --3--.

In claim 34 line 1, "31" has been renumbered as --3--.

In claim 35 line 1, "31" has been renumbered as --3--.

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In claim 36 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 37 line 1, "36" has been renumbered as --7--.

In claim 38 line 1, "36" has been renumbered as --7--.

In claim 39 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 40 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 43 line 1, "42" has been renumbered as --18--.

In claim 44 line 1, "42" has been renumbered as --18--.

In claim 46 line 1, "45" has been renumbered as --23--.

In claim 47 line 1, "46" has been renumbered as --24--.

In claim 48 line 1, "45" has been renumbered as --23--, "46" has been renumbered as --24--, and "47" has been renumbered as --25--.

In claim 49 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 49 lines 1-2, the phrase "pipe is an HDPE pipe" has been replaced with --pipes are formed from HDPE--.

In claim 50 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 51 line 1, "41" has been renumbered as --15--.

In claim 52 line 1, "42" has been renumbered as --18--.

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In claim 53 line 1, "45" has been renumbered as --23--.

In claim 54 line 1, "53" has been renumbered as --27--.

In claim 55 line 1, "42" has been renumbered as --18--.

In claim 56 line 1, "30" has been renumbered as --1-- and "31" has been renumbered as --3--.

In claim 57 line 1, "45" has been renumbered as --23--.

In claim 58 line 1, "41" has been renumbered as --15--.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record, particularly Strom (US 4,202,568), fails to teach or fairly suggest the assembly, kit, system or method as set forth in each of the independent claims. The claims are drawn to a flanged joint between either two sections of large diameter, corrugated plastic pipe that are buried in a trench or one section of large diameter, corrugated plastic pipe and a fitting, or one section of large diameter, corrugated plastic pipe and another pipe. An end of the corrugated section of pipe includes a flange that extends radially from the valley of the corrugation in the pipe immediately preceding the end and does not transversely extend into a crest (claim 30) or the end portion of the flange of the corrugated section of pipe does not substantially extend along or parallel to the pipe length. A clamp is disposed about the facing flanges to form the joint, and the sides of the clamp do not radially extend to the valleys of the

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corrugations in the pipes immediately adjacent the flanges. Strom is silent as to whether his pipe sections are of large diameter and used underground, and moreover the flanges of his pipe sections do extend transversely into a crest and the end portion of the flange does not substantially extend along or parallel to the pipe length, and his clamp extends radially to the valleys of the corrugations in the pipes immediately adjacent the flanges.

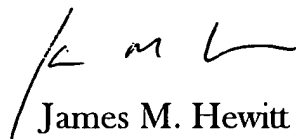
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 703-305-0552. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'J M H', is positioned above the printed name of the patent examiner.

James M. Hewitt
Patent Examiner
Technology Center 3600